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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

MARTIN J. WALSH, SECRETARY OF
LABOR, UNITED STATES DEPARTMENT
OF LABOR,

Plaintiff,

v.

URGENT HOME CARE, INC., d/b/a
URGENT HOME CARE, EDUARD
SULEYMANOV, an Individual, BETTY
SULEIMANOV, an Individual, and LAZAR
SULIMANOV, an Individual,

Defendants.

Case No.:

COMPLAINT

Violations of Fair Labor Standards
Act (“FLSA”), 29 U.S.C §§ 201, *et*
seq.

Plaintiff Martin J. Walsh, Secretary of Labor, United States Department of Labor, brings this action to enjoin Defendants Urgent Home Care, Inc., d/b/a Urgent Home Care, Eduard Suleymanov, Betty Suleimanov, and Lazar Sulimanov (“Defendants”), from violating provisions of Sections 7, 11(c), 15(a)(2), and 15(a)(5) of the Fair Labor Standards Act of 1938, as amended (“FLSA”), 29 U.S.C. §§ 207, 211(c), 215(a)(2) and 15(a)(5) and to recover amounts owed under the FLSA to employees of Defendants, as listed by name in the attached Exhibit A to this complaint, for the period of July 19, 2018 to July 20, 2021.

1 1. This Court has subject matter jurisdiction over this action under Section 17
2 of the FLSA, 29 U.S.C. § 217; this Court also has subject matter jurisdiction over this
3 action under 28 U.S.C. § 1331 (federal question) and § 1345 (United States as Plaintiff).

4 2. (a) Defendant Urgent Home Care, Inc. is and at all relevant times has been a
5 corporation in California with an office and place of business at 14631 N. Cave Creek
6 Road, #204, Phoenix, Arizona 85022, within the jurisdiction of this Court, and has been
7 engaged in business as a residential care facility.

8 (b) On information and belief, Defendant Eduard Suleymanov resides within
9 the jurisdiction of this Court.

10 (c) Defendant Eduard Suleymanov is and at all relevant times has been acting
11 directly or indirectly in the interest of Urgent Home Care, Inc., in relation to the
12 employees of Urgent Home Care, Inc., and is an employer under the FLSA § 3(d),
13 29 U.S.C. § 203(d).

14 (d) On information and belief, Defendant Betty Suleimanov resides within
15 the jurisdiction of this Court.

16 (e) Defendant Betty Suleimanov is and at all relevant times has been acting
17 directly or indirectly in the interest of Urgent Home Care, Inc., in relation to the
18 employees of Urgent Home Care, Inc., and is an employer under the FLSA § 3(d),
19 29 U.S.C. § 203(d).

20 (f) On information and belief, Defendant Lazar Sulimanov resides within the
21 jurisdiction of this Court.

22 (g) Defendant Lazar Sulimanov is and at all relevant times has been acting
23 directly or indirectly in the interest of Urgent Home Care, Inc., in relation to the
24 employees of Urgent Home Care, Inc., and is an employer under the FLSA § 3(d),
25 29 U.S.C. § 203(d).

26 3. Defendants' activities constitute, and at all times material hereto have consti-
27 tuted, related activities performed through unified operation or common control for a com-
28 mon business purpose; and are, and at all times material hereto have been, an "enterprise"

1 as defined in the FLSA § 3(r), 29 U.S.C. § 203(r).

2 4. The aforesaid enterprise has, and at all times material hereto has had, em-
3 ployees engaged in commerce or in the production of goods for commerce, or in handling,
4 selling or otherwise working on goods or materials which have been moved in or produced
5 for commerce. Said enterprise has, and at all times material hereto has had, an annual gross
6 volume of sales made or business done (exclusive of any excise taxes at the retail level, if
7 any, that were separately stated) of no less than \$500,000.00; and said enterprise consti-
8 tutes, and at all times material hereto has constituted, an “enterprise engaged in commerce
9 or in the production of goods for commerce” as defined in the FLSA § 3(s), 29 U.S.C.
10 § 203(s).

11 5. Defendants, individually and jointly, serving as agents for one another, have
12 controlled the material aspects of the employment relationship with all employees at Ur-
13 gent Home Care, Inc.’s place of business located at 14631 N. Cave Creek Road, #204,
14 Phoenix, Arizona 85022, including, hiring, firing, setting pay rates, setting work sched-
15 ules, assigning work, and preparing and maintaining pay records; these employees are
16 listed in the attached Exhibit A. As such, Defendants are jointly and severally liable for
17 all back wages due to their employees.

18 6. Defendants have violated the provisions of Sections 7 and 15(a)(2) of the
19 FLSA, 29 U.S.C. § 207 and § 215(a)(2), by employing employees engaged in commerce
20 or in the production of goods for commerce, within the meaning of the FLSA, or em-
21 ployed in an enterprise engaged in commerce or in the production of goods for com-
22 merce, within the meaning of the FLSA § 3(s), 29 U.S.C. § 203(s), for workweeks
23 longer than 40 hours without compensating said employees for their employment in ex-
24 cess of 40 hours in such workweeks at rates not less than one and one-half times the reg-
25 ular rates at which they were employed.

26 7. Defendants have violated the provisions of Sections 11(c) and 15(a)(5) of the
27 FLSA, 29 U.S.C. § 211(c) and § 215(a)(5), by failing to maintain, keep, and preserve rec-
28

ords of employees and of the wages, hours, and other conditions and practices of employment maintained, as prescribed by the regulations promulgated by the Plaintiff-Secretary pursuant to the authority granted in the FLSA and published in the Federal Register and known as Title 29, Code of Federal Regulations, Part 516.

8. (a) During the period from July 19, 2018 to July 20, 2021, Defendants have repeatedly and willfully violated and are violating the above-described provisions of the FLSA.

(b) As a result of the violations of the monetary provisions of the FLSA, there is unpaid overtime compensation due under the FLSA that is being withheld by the Defendants.

(c) A judgment permanently enjoining and restraining such violations of the FLSA is specifically authorized by Section 17 of the FLSA, 29 U.S.C. § 217.

(d) A judgment enjoining and restraining the continued withholding of unpaid overtime compensation due under the FLSA is specifically authorized by Section 17 of the FLSA, 29 U.S.C. § 217.

(e) Judgment awarding unpaid overtime compensation due under the FLSA, plus an additional amount, as liquidated damages, that is equal to the amount of overtime compensation that accrued under the FLSA, is specifically authorized by FLSA § 16(c), 29 U.S.C. § 216(c).

WHEREFORE, cause having been shown, the Secretary prays for a judgment against Defendants as follows:

A. For an order pursuant to Section 17 of the FLSA, 29 U.S.C. § 217, permanently enjoining and restraining Defendants, their officers, agents, servants, and employees, and those persons in active concert or participation with them, from prospectively violating the provisions of Sections 15(a)(2) and 15(a)(5) of the FLSA, 29 U.S.C. §§ 215(a)(2) and 215(a)(5); and

B. For an order

(i) pursuant to FLSA § 16(c), 29 U.S.C. § 216(c) finding the Defendants liable for any unpaid overtime compensation that may be found by the Court to be due under the FLSA plus an additional amount as and for liquidated damages, equal to any overtime compensation found to have accrued under the FLSA, to present and former employees of Defendants including the persons listed by name on the attached Exhibit A; or

(ii) in any instances where liquidated damages are not awarded herein, restraining, pursuant to FLSA § 17, 29 U.S.C. § 217, the Defendants, their officers, agents, servants, and employees and all persons in active concert or participation with them, from continuing to withhold the payment of any unpaid overtime compensation that may be found by this Court to have accrued under the FLSA to present and former employees of Defendants including the persons listed by name on the attached Exhibit A, plus pre-judgment interest thereon; and,

C. Awarding the Secretary the costs of this action and providing such further legal and equitable relief as may be deemed appropriate.

Dated: September 19, 2022

SEEMA NANDA
Solicitor of Labor

MARC A. PILOTIN
Regional Solicitor

BORIS ORLOV
Counsel for Wage and Hour

/s/ Karina Wegman
KARINA WEGMAN
Trial Attorney

Attorneys for the Plaintiff
U.S. Department of Labor

Exhibit A

First Name	Last Name
Zurama G	Aballi
Yusuf H	Abdulkadir
Cecilia	Acosta
Althea M	Agboola
Shoruk D	Al-Mansori
Anar	Albanbayeva
Atanacia	Alcaraz Carrazco
Kirill	Aleksandrov
Abdulgader	Allami
Nada	Alqaysee
Diana J	Alvarado
Marisu Priscilla	Alvarez
Paola	Amaya
Thecla J	Anau
Joan	Anderson
Teraleen	Antonides
Christina N	Aquino
Armida T	Arispe
Salina M	Arispe
Fatima	Aslanova
Jong H	Bae
Elsa C	Bautista
Gloria A	Bautista
Danielle	Behan
Gennady	Benenson
Lilya	Benenson
Diane	Benitez
Marigret	Benjamin
Bigege	Bizimana
Viktoriya	Bocharova
Galyna	Borys
Maria M	Botello Munoz
Marco A	Bravo
Heyam	Brikha
Chrishon S	Brown
Virginia	Cano Ledezma
Cittlaly	Carbajal
Julia S	Carbajal
Genoveva	Carrillo

Rolando	Casasola
Adela M	Castellanos S
Lourdes M	Castrillo
Alexandra D	Castro Sanchez
Diana L	Cathey
Miles	Caton
Gabriela A	Cazares
Juan A	Cazares
Laura T	Cazares
Dania C	Cespedes
Ana	Chavez
Anna Y	Chekmaryova
Vanessa	Cisneros
Angelique M	Clark
Faye	Colbert
Nichole J	Crile-Blasingame
Kamo	Danielian
Yana	Dashevsky
Jamie	Dean
Yvette D	Dela Cruz-Colclasure
Georgetta J	Deleon
Moroni	Delgado
Stephanie I	Delgado
Tina m	Diaz
Roxanne M	Doty
Adela	Dover
Kapinga	Drusbosky
Afroz J	Dulara
Iqbal P	Dulara
Ronneil	Duncan
Christine S	Dunn
Christopher	Edmond
Dora O	Edosomwan
Brian M	Edwards
Maria L	Eldredge
Priscilla	Elthie
Reyna	Escobar
Eddy T	Escobar De Vega
Aidee	Espinoza
Dora E	Espinoza
Lupe G	Estavillo
Elsa	Facio
Juan	Fernandez

Denata	Fidani
Linda B	Flores
Alma G	Franco
Nina	Francuzik
Rachael N	Fremling
Aubrielle J	Frerichs
Renato	Gamboa
Lourdes M	Garagnon
Aaliyah A	Garcia
Elizabeth	Garcia
Jessica P	Garcia
Linda	Garcia
Orlando Y	Giddings
Annie	Glover
Susie S	Gonzales
Vanessa N	Gonzales
Dina	Gorodishter
Natalia	Guk
Ella	Hadar
Georgia	Haggard
Rana S	Hano
Charmela M	Harris
Oneida A	Henriquez
Babur	Hirmendi
Monique S	Hobbs
Carlene	Hoshaine
Michelle	Inda
Marks	Iskhakov
Jasmine	Jackson
Agustina	Jimenez
Deshanai	Jones
Joy	Judge
Hawa	Kabba
Gulistan	Kayayeva
Leilani	Keller
Ekaterina	Kiepke
Donoven C	King
Elena	Kmet
Alexander	Kocharov
Aferdita	Kosovrasti
Gasaia	Kourieh
Belia	Lapidus
Denise	Lee

Olivia C	Lee
Cairo	Leyba
Jose J	Lopez
Lily	Lopez
Maria M	Lugo Maria
Eric H	Lundberg
Rosa A	Macias
Nikia R	Madsen
Marietta	Magpulong
Delisa P	Marentez
Jaheni	Marquez
Pearl	Marquez
Priscilla B	Martin-Picard
Kathleen M	Martinez
Shahla	Masroor
Dawn J	McFarland
Joyce A	McNeil
Franco O	Mena
Evin D	Messina
Firdews	Mjejel
Eula M	Monte
Gustavo	Montes
Luz E	Morfin
Summer	Morgan
Lynrose	Morris
Noelle C	Morris
Rose M	Mose
Deena M	Mufarreh
Lourdia	Myrthil
Hermine	Nahabedian
Genesis	Naveju Castillo
Phuong M	Nguyen
Rosa Maria	Nieto
Rita	Ohannessian
Valentina R	Oliver
Javier A	Ontiveros
Anabel	Ornelas
Sixta	Orozco
Barbara L	Pacheco
Teah A	Padmore
Mabel J	Palacio
Kathleen	Parker
Sonia	Pavlov

1	Delia	Perez
2	Lucia	Perez
3	Sylvia H	Phillips
4	Michelle W	Piper
5	Ashley N	Prince
6	Alexander B	Priyev
7	Kelli N	Ramirez
8	Zaheda	Ramjag
9	Evan T	Raynovic
10	Vladislav G	Razmyslovich
11	Irma Del Carmen	Renteria
12	Susan	Resendes
13	Rosa	Reveles
14	Angel J	Reyes Lopez
15	Petra A	Reyna
16	Ferdinand V	Rillera
17	Norma A	Rios
18	Estela	Rios Leon
19	Lorraine M	Rivera
20	Raymond A	Robles
21	Lebecca A	Roeschen
22	Svitlana	Roethler
23	Erika V	Romero
24	Cierra J	Rosales
25	Shokhsina	Sadayeva
26	Stella	Sadykova
27	Alicia Marquez	Saenz
28	Kevin	Sagiyan
	Sviatlana N	Sakalova
	Dalia	Salado
	Michael	Saman
	Rafael A	Saman
	Nikolay	Samoylich
	Olga	Samoylich
	Timofey	Samoylich
	Enedina	Sanchez
	Vanessa	Sandoval Fierro
	Aarin R	Santiago
	Candace E	Satterfield
	Svitlana R	Savchuk
	Iris	Serrano
	Galina	Shevchenko
	Oksana	Shulim

Eskedar G	Shura
Dawn	Simon
Dunya	Slewo
Hermelinda	Solano
Derek P	Stevens
Shellee J	Suber
Pashan N	Sueing
Yelena G	Sufich
Zulfiya	Suleymanova
Lola	Tairova
Taba	Tehrani
Ruby	Tena
Emilia	Thomas
Elena	Thornton
Mykaela	Tyler
Irina	Udriss
Mykolas	Vaidilauskas
Marlene	Van Winkle
Joanne	Vandermeer
Alondra A	Vasquez
Andrea	Vazquez
Aleksandr	Veksler
Graciela	Velazquez
Luz E	Velez
James	Wannah
Brandon C	Ward
Cynthia L	Washington
Nancy	Whayee
Barbaraann	Whitley
Gloria	Whitmore
Felicia B	Williams
Evelyn	Wilson
Jacklin	Yakinian
Isfira	Yakubova
Inna	Yatsenko
Edrozen Faron	Yazzie
Mercedes	Ybarra
Willam H	Yonan
Ronen	Yusupov
Nick	Zahreddine
Adriana	Zaldivar
Nina	Zamoshkin